



Roll Call Number

Agenda Item Number

41A

Date May 20, 2019

APPROVING AND ADOPTING A SCHEDULE OF ADMINISTRATIVE PENALTIES FOR FAILURE TO MAINTAIN BORDER AREA IN VIOLATION OF CHAPTER 102 AS AUTHORIZED BY THE MUNICIPAL CODE OF THE CITY OF DES MOINES

WHEREAS, Section 102-2 of the Municipal Code, entitled "Maintenance of Border Area", provides for the maintenance of the border area by abutting property owners and Section 102- 3.5 provides for the giving of an administrative notice of violation and assessment of an administrative penalty for violation of section 102-2 of the Municipal Code, the amounts of which administrative penalties are to be set in a Schedule of Administrative Penalties adopted by the City Council by resolution; and

WHEREAS, a Schedule of Administrative Penalties has been prepared for Council consideration and is recommended for adoption, which Schedule of Administrative Penalties is appended hereto and is now on file in the Office of the City Clerk.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA that the Schedule of Fees appended hereto and by this reference hereto is hereby approved and adopted.

BE IT FURTHER RESOLVED that said Schedule of Administrative Penalties shall be maintained on file in the office of the City Clerk and the Public Works Department for public reference, and that the fees therein established shall become effective upon and as of June 3, 2019.

Moved By _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

SCHEDULE OF ADMINISTRATIVE PENALTIES

**Public Works Department
SCHEDULE OF ADMINISTRATIVE PENALTIES
for Failure to Maintain Border Area
City Code Section 102-2**

The following schedule of administrative penalties for violations of Section 102-2 of the City Code within a mowing season (April 1-October 31) shall be charged:

Violation	Penalty	Effective Date
First failure to maintain border area	\$100.00	06/03/19
Second failure to maintain border area	\$ 150.00	06/03/19
Third and all subsequent failure to maintain border area	\$200.00	06/03/19

Notice of violation with the applicable penalty for such violation noted thereon shall be issued to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice at the City Clerk's office, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

Failure to Maintain Border Area Administrative Penalties adopted by Roll Call No. 19-_____ on May 20, 2019.